THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 17891 OF 1996

Date: 12.12.2006

Between:

Telugu Rayanna.

… Petitioner

and

The Mandal Revenue Officer, Atmakur Mandal, Mahaboobnagar District.

… Respondent.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 17891 OF 1996

ORDER:

The fact that the petitioner has been granted a house site patta and has been in possession of the house site eversince is not in dispute. The only contention raised before this Court is that, by the impugned proceedings, the respondents had cancelled the patta granted to him earlier, without putting the petitioner on notice and without giving him an opportunity of being heard.

In the counter-affidavit filed on behalf of the respondents, it is stated that the land is required for the purpose of construction of the office of Gram Panchayat, and that this Court, by order dated 27.08.1996, had granted interim suspension of the proceedings of the Mandal Revenue Officer dated 22.08.1996. The said interim order was made absolute on 24.07.1998. It is not in dispute that the petitioner has continued to remain in possession eversince he was granted a house site patta. Since the impugned order dated 22.08.1996 has admittedly been passed without putting the petitioner on notice, and without giving him an opportunity of being heard, the said order is in violation of principles of natural justice and is accordingly quashed. Needless to state that this order shall not preclude the respondents from taking action against the petitioners in accordance with law after putting him on notice and after giving him an opportunity of being heard.

The writ petition is disposed of accordingly. No costs

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Date: 12.12.2006 RAMESH RANGANATHAN, J

MRKR